

JOSEPH P. KINNEARY UNITED STATES COURTHOUSE

JULY 14, 1998.—Referred to the House Calendar and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and
Infrastructure, submitted the following

REPORT

[To accompany S. 1800]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (S. 1800) to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the “Joseph P. Kinneary United States Courthouse”, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

BACKGROUND

Joseph P. Kinneary was born in Cincinnati, Ohio on September 19, 1905. He attended parochial schools and graduated from the University of Notre Dame in 1928. He then pursued a career in law and received his law degree from the University of Cincinnati, College of Law in 1935, where he later earned his Doctor of Laws, *honoris causa*, in 1991. Upon passing the bar, Judge Kinneary began in private practice, practicing in both Columbus and Cincinnati. In 1937, he began his career in public office, serving as Assistant Attorney General of Ohio.

However, with the onset of World War II, Judge Kinneary answered the call of military duty by serving in the United States Army from 1942 until he was honorably discharged at the rank of Captain in 1945.

Upon his return from his military duty, Judge Kinneary returned to private practice in Ohio. However, he returned to public office in 1949, becoming the First Assistant Attorney General of Ohio. In 1961, President Kennedy then appointed Judge Kinneary United States Attorney for the Southern District of Ohio. He was re-appointed to this post by President Johnson in 1965, and served in

this capacity until 1966. In 1966 President Johnson appointed Judge Kinneary to the bench of the United States District for the Southern District of Ohio. He served as Chief Judge from January 1973 until September 1975. At the age of 92, Judge Kinneary continues to preside on the federal bench and continues to draw an active docket.

This designation is a fitting tribute to a dedicated and distinguished jurist.

HEARINGS

The Committee did not hold hearings on S. 1800.

COMMITTEE CONSIDERATION

On June 25, 1998, the Committee met in open session and ordered reported S. 1800, to designate the United States courthouse located at 85 Marconi Boulevard, in Columbus, Ohio, as the “Joseph P. Kinneary United States Courthouse,” unanimously by voice vote, a quorum being present.

ROLLCALL VOTES

Clause 2(l)(2)(B) of rule XI requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering S. 1800 reported. A motion by Mr. Kim to order S. 1800 reported to the House, without amendment, was agreed to by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, oversight findings and recommendations have been made by the Committee as reflected in this report.

COST OF THE LEGISLATION

Clause 7 of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included below.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of S. 1800.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and Section 402 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for S. 1800 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 25, 1998.

Hon. BUD SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills, which were ordered reported by the House Committee on Transportation and Infrastructure on June 25, 1998. CBO estimates that their enactment would have no significant impact on the federal budget and would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bills contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. The bills reviewed are:

H.R. 2379, a bill to designate the federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse;"

H.R. 2787, a bill to designate the United States courthouse located at 141 Church Street in New Haven, Connecticut, as the "Richard C. Lee United States Courthouse;"

H.R. 3223, a bill to designate the federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building;"

H.R. 3696, a bill to designate the federal courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin United States Courthouse;"

H.R. 3982, a bill to designate the federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building;" and

S. 1800, an act to designate the federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse."

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

Sincerely,

JUNE E. O'NEILL, *Director.*

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (2)(l)(4) of rule XI of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the

measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

S. 1800 makes no changes in existing law.

